

CONGRESSIONAL RECORD SUMMARY

Thursday, June 13, 2002

SENATE

Measures Introduced:

S. 2619. *A bill to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape; to the Committee on the Judiciary; to the Committee on the Judiciary.*
“... Our bill directs the Department of Justice to conduct an annual statistical review and analysis of the frequency and effects of prison rape. It establishes a special panel to conduct hearings on prison systems, prisons, and jails where the incidence of rape is high. It directs the Attorney General to collect complaints of rape from inmates, transmit them to the appropriate authorities, and review how the authorities respond. It also directs the Attorney General to provide information, assistance, and training to Federal, State, and local authorities on the prevention, investigation, and punishment of prison rape. Our bill also authorizes \$40 million in grants to enhance the prevention, investigation, and punishment of prison rape. [] Finally, our bill establishes a commission that will conduct hearings over two years and recommend national correctional standards on a wide range of issues...”

Kennedy

Pages S 5535, S 5537-38

S. 2621. *A bill to provide a definition of vehicle for purposes of criminal penalties relating to terrorist attacks and other acts of violence against mass transportation systems; to the Committee on the Judiciary.*

Leahy

Pages S 5535, S 5538-39

Measures Reported:

S. 1956, *to combat terrorism and defend the Nation against terrorist attacks, with an amendment in the nature of a substitute.*

Page D 607

S. 2600 - Terrorism Risk Insurance Act:

Senate began consideration of S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism, taking action on the following amendments proposed thereto:

Pages S 5472-S5501, S 5503-13, S 5514-28, D 607

“...We have a problem either way. If the terrorist attack should materialize, the lack of coverage would markedly hinder recovery efforts. But even if it doesn't, you have an economic drag taking place because of the unwillingness of lenders to finance new construction projects as well as the sale of existing projects. Most people seem to believe that in time, the insurance industry will be able to underwrite the terrorist risk. But they don't now, at this point, have the experience and the factual basis on which to make those calculations. In the meantime, a short-term Federal backstop for terrorism insurance would help to stabilize the marketplace and forestall the potential negative consequences which I have just quoted, identified by the GAO...”

Sarbanes

Page S 5473

“...This legislation makes sense because it is based on three principles that must be included in any bill that reaches the President's desk. First, it makes the American taxpayer the insurer of last resort. [] Secondly, the legislation should promote competition in the current insurance marketplace. [] Thirdly, the legislation ensures that all consumers and businesses can continue to purchase affordable coverage for terrorist acts...”

Dodd

Page S 5480

S. 2600 - Terrorism Risk Insurance Act (Cont'd):

Rejected:

McConnell Amendment No. 3836, to provide for procedures for civil actions. (By 50 yeas to 46 nays (Vote No. 152), Senate tabled the amendment.)

Pages S 5481-88, D 608

Nelson (FL) Amendment No. 3834, to restrict insurance rate increases for terrorism risks. (By 70 yeas to 24 nays (Vote No. 153), Senate tabled the amendment.)

Pages S 5488-91, S 5494-5500, D 607

Withdrawn:

Hatch Amendment No. 3839, to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts.

Pages S 5491-94, S 5500, D 608

Pending:

Santorum Amendment No. 3842, to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts.

Pages S 5507-09, D 608

Allen Amendment No. 3838, to provide for satisfaction of judgments from frozen assets of terrorists, terrorist organizations, and State sponsors of terrorism.

Pages S5509-13, D 608

Brownback Amendment No. 3843, to prohibit the patentability of human organisms.

Pages S 5514-16, S 5517-28, D 608

Ensign Amendment No. 3844 (to Amendment No. 3843), to prohibit the patentability of human organisms.

Pages S 5516-17, D 608

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:35 a.m., on Friday, June 14, 2002, that **Santorum Amendment No. 3842 be withdrawn**. Further, that following disposition of **S. 1770** (listed below), Senate will continue consideration of this bill, with a vote to occur on **Allen Amendment No. 3838** (listed above).

Pages S 5511, D 608

Suppression of Terrorist Bombings--Agreement: A unanimous-consent agreement was reached providing that when the Senate resume consideration of the terrorism insurance bill on Friday, June 14, at 9:35 a.m., the **Santorum Amendment No. 3842 (listed above) be withdrawn**. Further that the Judiciary Committee be discharged from further consideration of **H.R. 3275, Suppression of the Financing of Terrorism Convention Implementation Act**, and the Senate proceed to its consideration, with a **Leahy/Hatch substitute amendment** to be proposed thereto, with a vote to occur on adoption of the substitute amendment; following which, Senate vote on passage of the bill; that upon disposition of **H.R. 3275**, the Judiciary Committee be discharged from further consideration of **S. 1770, Terrorist Bombings Convention Implementation Act**, and the Senate proceed to its consideration, with a **Leahy/Hatch amendment** to be proposed thereto, with a vote to occur on adoption of the amendment; following which, Senate vote on passage of the bill.

Pages S 5511-13, D 608

Committee Meetings:

Committee on the Judiciary: *Committee ordered favorably reported the following business items: S. 1956, to combat terrorism and defend the Nation against terrorist attacks, with an amendment in the nature of a substitute; and The nominations of Henry E. Autrey, to be United States District Judge for the Eastern District of Missouri, Richard E. Dorr, to be United States District Judge for the Western District of Missouri, David C. Godbey, to be United States District Judge for the Northern District of Texas, Henry E. Hudson, to be United States District Judge for the Eastern District of Virginia, Timothy J. Savage, to be United States District Judge for the Eastern District of Pennsylvania, Amy J. St. Eve, to be United States District Judge for the Northern District of Illinois; and Gregory Robert Miller, to be United States Attorney for the Northern District of Florida, Kevin Vincent Ryan, to be United States Attorney for the Northern District of California, Randall Dean Anderson, to be United States Marshal for the District of Utah, Ray Elmer Carnahan, to be United States Marshal for the Eastern District of Arkansas, David Scott Carpenter, to be United States Marshal for the District of North Dakota, Theresa A. Merrow, to be United States Marshal for the Middle District of Georgia, Ruben Monzon, to be United States Marshal for the Southern District of Texas, and James Michael Wahlrab, to be United States Marshal for the Southern District of Ohio, all of the Department of Justice.*

Page D 609-10

Committee on the Judiciary: *Committee concluded hearings on the nominations of John M. Rogers, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, David S. Cercone, to be United States District Judge for the Western District of Pennsylvania, Morrison C. England, Jr., to be United States District Judge for the Eastern District of California, Kenneth A. Marra, to be United States District Judge for the Southern District of Florida, and Lawrence A. Greenfeld, of Maryland, to be Director of the Bureau of Justice Statistics, Department of Justice, after the nominees testified and answered questions in their own behalf. Mr. Rogers was introduced by Senators McConnell and Bunning, Mr. Cercone was introduced by Senators Specter and Santorum, Mr. England was introduced by Senator Feinstein, and Mr. Greenfeld was introduced by Representative Bartlett.*

Page D 610

Remark:

Remembering Dr. Barnett Slepian and Condemning Anti-Abortion Violence.

"...The 9th Circuit Court of Appeals ruled just last month that targeting specific doctors in this way constitutes an illegal threat, and found those responsible for the Web sites in violation of the Freedom of Access to Clinic Entrances Act. I applaud the court's ruling, and I am pleased that the FACE legislation we passed has helped protect Americans. But we must remain vigilant and continue to take appropriate action to prevent extremist groups from terrorizing victims..."

Reid

Page S 5468

HOUSE

Measures Introduced:

H.R. 4931. A bill to provide that the *pension and individual retirement arrangement provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent*; to the Committee on Ways and Means.

Portman

Page H 3561

H.R. 4932. A bill to amend the Social Security Act *to establish an Office of Administrative Law Judges in the Social Security Administration*; to the Committee on Ways and Means.

Gekas

Page H 3561

H.R. 4936. A bill to amend title 37, United States Code, to provide a *dislocation allowance under section 407 of such title to retired members of the uniformed services and members on the temporary disability retired list moving from their last duty station to their designated home*; to the Committee on Armed Services.

Jones

Page H 3561

H.R. 4941. A bill to provide that the *individual income tax rate reductions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent*; to the Committee on Ways and Means.

Toomey

Page H 3561

H.R. 4942. A bill to improve patient access to health care services, extend the solvency of the Medicare Trust Fund, and provide improved medical care *by reducing the excessive burden the liability system places on the health care delivery system*; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Weldon

Page H 3561-62

H.R. 4943. *A bill to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape; to the Committee on the Judiciary.*

Wolf

Page H 3562

Executive Communications:

EC-7387. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule--*Prevailing Rate Systems; Change in the Survey Cycle for the Portland, Oregon, Appropriated Fund Wage Area (RIN: 3206-AJ60)* received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

EC-7388. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule--*Premium Pay Limitations (RIN: 3206-AJ56)* received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

Page H 3561

Committee Meetings:

Committee on the Judiciary: *Ordered reported, as amended, H.R. 4598, Homeland Security Information Sharing Act. The Committee also continued markup of H.R. 3215, Combating Illegal Gambling Reform and Modernization Act. Proceedings will continue June 18.*

Page D 611

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on *"The CART (Copyright Arbitration Royalty Panel) Structure and Process."*

Committee on the Judiciary: *Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 4864, Anti-Terrorism Explosives Act of 2002.*

Page D 612

Remarks:

Legislation Restoring First Amendment Protections of Religion and Religious Speech.

"...It has interpreted the establishment clause to preclude prayer and other religious speech in a public place, thereby violating the free exercise clause of the very same First amendment. Therefore, it is incumbent upon Congress to correct this error, and to perform its duty to support and defend the Constitution. My legislation would restore First amendment protections of religion and speech by removing all religious freedom-related cases from federal district court jurisdiction, as well as from federal claims court jurisdiction. The federal government has no constitutional authority to reach its hands in the religious affairs of its citizens or of the several states..."

Paul

Pages E 1036-37

The Bracero Justice Act of 2002.

"...My bill addresses the issue of the statute of limitations. We must eliminate any time limits on legal action. Just as we have seen with Holocaust survivors who were robbed of their assets or the Japanese citizens interned in our country for years--waiving the statute of limitations is a necessary step in seeking justice that is decades overdue. My bill also addresses jurisdictional questions, allowing suits to be filed in any district court, so the full universe of workers can gain relief. The Bracero Justice Act also seeks a waiver of sovereign immunity, so that action can be taken against a government--whether the United States or Mexican Government--if it is found that their actions contributed to this fiasco..."

Gutierrez

Pages E 1045-46

Next SENATE MEETING: Friday, 9:00 a.m., June 14, 2002.

Next HOUSE MEETING: Monday, 12:30 p.m., June 17, 2002.

OLA: S. Schwarz, A. Santos